

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KATRINA BERAN,

Plaintiff,

vs.

VSL NORTH PLATTE COURT LLC,

Defendant.

7:21CV5003

**ORDER APPROVING METHOD OF
SECURITY AND STAYING EXECUTION
OF JUDGMENT**

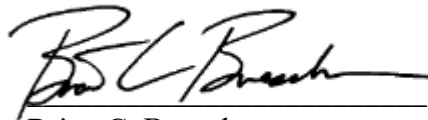
This case is before the Court on the remaining part of Defendant's Motion to Approve Proposed Method of Security and Temporarily Continue Stay of Execution Pending Approval. [Filing 106](#). In the remaining part of the Motion, Defendant asks the Court to approve as supersedeas an irrevocable letter of credit drawn in favor of Plaintiff and further staying execution on the judgment pending any appeal Defendant might pursue after the Court's disposition of post-trial motions, or should Defendant not pursue an appeal, staying execution until expiration of Defendant's time to file a notice of appeal. Plaintiff filed a Brief in Opposition, [Filing 117](#), but then filed a Notice of Withdrawal of Opposition to Defendant's Motion to Approve Security, [Filing 118](#). Plaintiff explains that the parties conferred following the filing of their initial briefs and based on an agreement between the parties Plaintiff has no objection to Defendant using its proposed irrevocable letter of credit. [Filing 118 at 1](#). Accordingly,

IT IS ORDERED that the remaining part of Defendants' Motion to Approve Proposed Method of Security and Temporarily Continue Stay of Execution Pending Approval, [Filing 106](#), is granted, and Defendants' proposed security, in the form of an irrevocable letter of credit in the amount of \$900,000 from Pinnacle Bank naming plaintiff Katrina Beran as beneficiary is approved

as supersedeas in this case. Upon the posting of such security, execution of Judgment will be stayed without further order of the Court pending any appeal Defendant may take after the Court rules on Defendant's post-trial motions or should Defendant not pursue an appeal staying execution of Judgment until expiration of Defendant's time to file a notice of appeal.

Dated this 9th day of August, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge